

SENATE BILL 470

Q2

11r2407
CF HB 480

By: **Carroll County Senators**

Introduced and read first time: February 4, 2011

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2011

CHAPTER _____

1 AN ACT concerning

2 **Carroll County – Property Tax Credit for Housing Units at Independent**
3 **Living Retirement Communities**

4 FOR the purpose of authorizing the governing body of Carroll County or of a municipal
5 corporation in Carroll County to grant, by law, a tax credit against the county or
6 municipal corporation property tax imposed on certain housing units at
7 independent living retirement communities; authorizing the governing body of
8 Carroll County or of a municipal corporation in Carroll County to provide, by
9 law, for certain provisions necessary to carry out the tax credit; specifying that
10 the full benefit of the tax credit be assigned to certain residents; providing for
11 the application of this Act; defining a certain term; and generally relating to a
12 property tax credit in Carroll County for certain housing units in certain
13 independent living retirement communities.

14 BY adding to

15 Article – Tax – Property

16 Section 9–308(f)

17 Annotated Code of Maryland

18 (2007 Replacement Volume and 2010 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Tax – Property**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 9-308.

2 (F) (1) (I) IN THIS SUBSECTION, "INDEPENDENT LIVING
3 RETIREMENT COMMUNITY" MEANS A CONTINUING CARE FACILITY FOR THE
4 AGED THAT:

5 ~~(H)~~ 1. PROVIDES CONTINUING CARE AS DEFINED IN §
6 10-401 OF THE HUMAN SERVICES ARTICLE;

7 ~~(H)~~ 2. IS LICENSED AS A RELATED INSTITUTION UNDER
8 TITLE 19, SUBTITLE 3 OF THE HEALTH - GENERAL ARTICLE; AND

9 ~~(H)~~ 3. IS CERTIFIED BY THE DEPARTMENT OF AGING;
10 AND

11 ~~(IV) IS EXEMPT FROM FEDERAL INCOME TAX UNDER §~~
12 ~~501(C)(3) OF THE INTERNAL REVENUE CODE OR IS OWNED OR OPERATED BY A~~
13 ~~PERSON THAT IS EXEMPT FROM FEDERAL INCOME TAX UNDER § 501(C)(3) OF~~
14 ~~THE INTERNAL REVENUE CODE.~~

15 (II) "INDEPENDENT LIVING RETIREMENT COMMUNITY"
16 INCLUDES ANY COMMUNITY OR FACILITY THAT OFFERS A LIFE OCCUPANCY
17 AGREEMENT.

18 (2) THE GOVERNING BODY OF CARROLL COUNTY OR OF A
19 MUNICIPAL CORPORATION IN CARROLL COUNTY MAY GRANT, BY LAW, A TAX
20 CREDIT AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX
21 IMPOSED ON THAT PORTION OF THE REAL PROPERTY OWNED BY AN
22 INDEPENDENT LIVING RETIREMENT COMMUNITY THAT IS USED AS HOUSING
23 UNITS.

24 (3) THE GOVERNING BODY OF CARROLL COUNTY OR OF A
25 MUNICIPAL CORPORATION IN CARROLL COUNTY MAY PROVIDE, BY LAW, FOR:

26 (I) THE AMOUNT AND DURATION OF THE TAX CREDIT
27 UNDER THIS SUBSECTION;

28 (II) ADDITIONAL ELIGIBILITY CRITERIA FOR THE TAX
29 CREDIT UNDER THIS SUBSECTION;

30 (III) REGULATIONS AND PROCEDURES FOR THE
31 APPLICATION AND UNIFORM PROCESSING OF REQUESTS FOR THE TAX CREDIT
32 UNDER THIS SUBSECTION; AND

1 (IV) ANY OTHER PROVISION NECESSARY TO CARRY OUT THE
2 TAX CREDIT UNDER THIS SUBSECTION.

3 (4) IF THE GOVERNING BODY OF CARROLL COUNTY OR OF A
4 MUNICIPAL CORPORATION IN CARROLL COUNTY AUTHORIZES A TAX CREDIT
5 UNDER THIS SUBSECTION, THE FULL BENEFIT OF THE TAX CREDIT SHALL BE
6 ASSIGNED TO RESIDENTS OF THE INDEPENDENT LIVING RETIREMENT
7 COMMUNITY.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 June 1, 2011, and shall be applicable to all taxable years beginning after June 30,
10 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.